

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF:

BRIDGELINE HOLDINGS, L.P.

AI # 11416

PROCEEDINGS UNDER THE LOUISIANA
ENVIRONMENTAL QUALITY ACT
LA. R.S. 30:2001, ET SEQ.

* Settlement Tracking No.
* SA-AE-08-0017
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* Enforcement Tracking No.
* AE-CN-07-0196
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SETTLEMENT

The following Settlement is hereby agreed to between Bridgeline Holdings, L.P. ("Respondent") and the Department of Environmental Quality ("DEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

I

Respondent is a partnership who owns and/or operates Sorrento Underground Gas Storage Facility, a natural gas compression and underground salt dome storage facility located at 6576 Louisiana Highway 3140 in Sorrento, Ascension Parish, Louisiana ("the Facility").

II

On January 17, 2008, the Department issued to Respondent a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. AE-CN-07-0196, which was based upon the following findings of fact:

The Respondent owns and/or operates Sorrento Underground Gas Storage Facility (the Facility), a natural gas compression and underground salt dome storage facility located at 6576

Louisiana Highway 3140 in Sorrento, Ascension Parish, Louisiana. The facility currently operates under Air Permit 0180-00048-V1, issued June 6, 2005.

On or about September 27, 2007, an Air Quality Inspection was performed to determine the degree of compliance with the Act and the Air Quality Regulations. On or about November 22, 2007, a file review of the facility was performed to determine the degree of compliance with the Act and the Air Quality Regulations.

The following violations were noted during the course of the inspection and file review:

The Inspection conducted on or about September 27, 2007, revealed that the facility failed to employ air monitors to measure engine exhaust concentrations of NO_x, CO, and of VOC for EQT004, EQT005, and EQT006 for each semiannual period. The following table summarizes the non-compliance issues with reference to the monitoring program:

Table of missed events – Bridgeline Sorrento – AI# 11416
June 7, 2005 to September 27, 2007

Emission Source	Monitoring Period	Missed monitoring events per pollutant per source			Sub-totals
		CO	NO _x	VOC	
EQT004 EQT005 EQT006	2 nd Semiannual 2005	3	3	3	9
	1 st and 2nd Semiannual 2006	6	6	6	18
	1 st Semiannual 2007	3	3	3	9
Total number of missed monitoring events					36

Each of the missed monitoring events is a violation of Specific Requirements 4, 5, 6, 11, 12, 13, 18, 19 and 20 of the permit, LAC 33:III.501.C.2, LAC 33:III.501.C.4, and La. R.S.30:2057(A)(1) and 30:2057(A)(2).

III

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

IV

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00), of which Three Hundred Sixty-Nine and 71/100 Dollars (\$369.71) represents DEQ's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to DEQ as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

V

Respondent further agrees that the Department may consider the inspection report(s), the Consolidated Compliance Order and Notice of Potential Penalty and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

VI

This agreement shall be considered a final order of the secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

VII

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in LSA- R. S. 30:2025(E) of the Act.

VIII

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in Ascension Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent has submitted a proof-of-publication affidavit to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

IX

Payment is to be made within ten (10) days from notice of the Secretary's signature. If payment is not received within that time, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit A).

X

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

XI

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his or her respective party, and to legally bind such party to its terms and conditions.

BRIDGELINE HOLDINGS, L.P.

BY: _____
(Signature)

(Print)

TITLE: _____

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20_____, at _____.

NOTARY PUBLIC (ID # _____)

(Print)

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY**
Harold Leggett, Ph.D., Secretary

BY: _____
Peggy M. Hatch, Assistant Secretary
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this _____ day of _____, 20_____, at Baton Rouge, Louisiana.

NOTARY PUBLIC (ID # _____)

(Print)

Approved: _____


Peggy M. Hatch, Assistant Secretary